



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.17494 of 2019

WEB COPY

Kumar

... Petitioner/Accused No.4

Vs

1.The Assistant Superintendent of Police,
Devakotttai Sub Division
Sivagangai District

2. The Inspector of Police
Devakotttai Town Police Station
Sivagangai District

3. Surendran @ Sudhakar

4. Selvam ... Respondents/Victims/Complainants

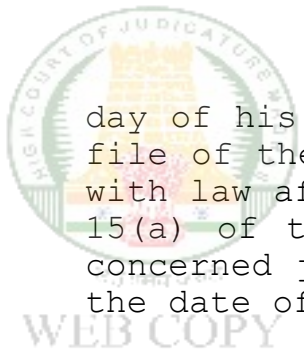
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special court for Exclusive Trial of SC/ST(POA) Act cases 1989, Sivagangai to consider the bail application of the petitioner to be filed in crime no.94 of 2019 on the file of the 2nd respondent police to accept their surrender on the same day on merits.

For Petitioner : Mr.T.Kumar
For Respondents : Mr.K.Suyambulinga Bharathi,
G.A. (Crl. Side) for RR1 and 2

O R D E R

This petition is filed for a direction to direct the 1 Special court for Exclusive Trial of SC/ST(POA) Act cases 1989, Sivagangai to consider the bail petition of the petitioner on the same day of surrender and dispose the same on merits and in accordance with law in crime No.94 of 2019 on the file of the 2nd respondent.

2. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration of the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Special court for Exclusive Trial of SC/ST(POA) Act cases 1989, Sivagangai, to consider the petitioner's bail application, preferably on the same



day of his surrender in connection with Crime No. 94 of 2019 on the file of the 2nd respondent and pass appropriate orders in accordance with law after affording due opportunity to the victim under Section 15(a) of the SC/ST Act. The petitioner shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of the receipt of a copy of this Order.

3. In view of the above, the Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS-II)

To

1.The Special court for Exclusive Trial
of SC/ST(POA) Act cases 1989,
Sivagangai

2.The Assistant Superintendent of Police,
Devakotttai Sub Division
Sivagangai District

3. The Inspector of Police
Devakottai Town Police Station
Sivagangai District

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.KUMAR, Advocate (SR-101732[F] dated 27/11/2019)

Order made in
CRL.O.P (MD) No.17494 of 2019
27.11.2019

aav

SDS/28.11.2019/2P/6C